



March 28, 2003

ENGROSSED HOUSE BILL No. 1130

DIGEST OF HB 1130 (Updated March 26, 2003 2:09 PM - DI 104)

Citations Affected: IC 16-37; IC 16-41; IC 16-44.

Synopsis: State department of health fees. Provides that the state department of health may require new mobile homes be installed according to manufacturer specifications. Includes the federal definition of "manufacturer home" in the term "mobile home". Increases various fees currently collected by the state department of health and allows penalty fees for late license renewals in certain cases.

Effective: July 1, 2003.

Brown C

(SENATE SPONSORS — MILLER, SIMPSON, BREAUX)

January 7, 2003, read first time and referred to Committee on Public Health.
February 10, 2003, amended, reported — Do Pass. Recommended to Committee on Ways and Means.
February 20, 2003, reported — Do Pass.
February 25, 2003, read second time, ordered engrossed. Engrossed.
February 26, 2003, read third time, passed. Yeas 60, nays 37.

SENATE ACTION

March 4, 2003, read first time and referred to Committee on Health and Provider Services.
March 27, 2003, amended, reported favorably — Do Pass.

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March 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1130

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-37-1-11 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) The state
3 department shall charge and collect a fee of ~~four~~ **eight** dollars ~~(\$4)~~ **(\$8)**
4 for each search of the records in the division of vital records. If the
5 requested record is found, one (1) certification of the record will be
6 issued without charge. Additional certifications of the same record will
7 be issued at that time for an additional fee of ~~one dollar (\$1)~~ **four**
8 **dollars (\$4)** for each record.

9 (b) The state department shall charge and collect an additional fee
10 of ~~four~~ **eight** dollars ~~(\$4)~~ **(\$8)** for any amendment to a record
11 previously filed with the division of vital records.

12 (c) Verification without charge will be issued to an agency of local,
13 state, or federal government upon written request by the agency.

14 SECTION 2. IC 16-41-27-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. This chapter
16 recognizes the mobile home as a suitable and necessary dwelling unit
17 in Indiana. The state department may do the following:

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(1) Require reasonable standards of health, sanitation, and safety in using the dwelling units.

(2) Require installations of new mobile homes to be installed in accordance with the manufacturer's specifications.

(3) Require persons dwelling in mobile homes and mobile home park operators to comply with the standards.

~~(3)~~ (4) Authorize local boards to enforce the standards adopted.

SECTION 3. IC 16-41-27-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. As used in this chapter, "mobile home" means a vehicle, including the equipment sold as a part of a vehicle, that meets the following conditions:

(1) Is constructed for use as a conveyance upon public streets or highways by either self-propelled or not self-propelled means.

(2) Is designed, constructed, or reconstructed, or added to by means of an enclosed addition or room, to permit the occupancy as a dwelling for at least one (1) person.

(3) Is used and occupied as a dwelling.

(4) Does not have a foundation other than wheels, jacks, skirting, or other temporary supports.

The term includes a manufactured home as defined by the federal Manufactured Housing Improvement Act of 2000 (42 U.S.C. 5401 et seq.).

SECTION 4. IC 16-41-27-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) An inspection fee must be submitted to the state department with each license application. The fee is ~~one two hundred fifty dollars (\$150)~~ **(\$200)** for not more than fifty (50) mobile home sites and one hundred ~~fifty dollars (\$100)~~ **(\$150)** for each increment of not more than fifty (50) additional sites. Units of state and local government are exempt from the fee.

(b) This subsection does not apply to an application made after an enforcement action. A penalty fee of ~~one two hundred fifty dollars (\$150)~~ **(\$200)** for not more than fifty (50) mobile home sites and one hundred ~~fifty dollars (\$100)~~ **(\$150)** for each increment of not more than fifty (50) additional sites may be imposed by the state department for an application for license renewal filed after the license has expired.

SECTION 5. IC 16-41-35-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 29. (a) The state department shall adopt rules under IC 4-22-2 to regulate who may operate a radiation machine and what level of training and experience the operator must have. Rules adopted by the state department must exempt from testing to establish initial qualifications an individual



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1 who:

2 (1) holds a **valid** certificate issued by; **and**

3 **(2) is currently registered with;**

4 the American Registry of Radiologic Technologists.

5 (b) The state department shall issue a license to an individual
6 meeting the requirements of the rules adopted under subsection (a) for
7 a radiologic technologist upon the payment to the state department of
8 a ~~thirty~~ **sixty** dollar ~~(\$30)~~ **(\$60)** fee and the cost of testing to establish
9 initial qualifications. The license is valid for twenty-four (24) months.
10 The state department shall establish a fee for the renewal or duplication
11 of a license issued under this section not to exceed ~~thirty~~ **sixty** dollars
12 ~~(\$30)~~ **(\$60)**. **In addition to the renewal fee, a penalty fee of sixty**
13 **dollars (\$60) shall be imposed by the state department for**
14 **processing an application for license renewal received after the**
15 **expiration of the previous license. The state department may waive**
16 **the penalty fee for a showing of good cause.**

17 (c) Every owner of a radiation machine, including an industrial
18 radiation machine, shall have the machine inspected in accordance with
19 procedures and standards established by the state department. The state
20 department shall adopt rules under IC 4-22-2 establishing the
21 procedures and standards applicable to inspections of radiation
22 machines.

23 SECTION 6. IC 16-44-3-9 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. **(a)** The state
25 department shall collect an annual registration fee of ~~twenty-five~~ **fifty**
26 ~~dollars (\$25)~~ **(\$50)** for each motor fuel outlet registered under this
27 chapter.

28 **(b) In addition to the fee in subsection (a), a penalty fee of fifty**
29 **dollars (\$50) may be imposed by the state department for an**
30 **application for registration renewal filed after the previous**
31 **registration has expired. The state department may waive the**
32 **penalty fee for a showing of good cause.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1130, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 2. IC 16-41-27-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. This chapter recognizes the mobile home as a suitable and necessary dwelling unit in Indiana. The state department may do the following:

- (1) Require reasonable standards of health, sanitation, and safety in using the dwelling units.
- (2) **Require installations of new mobile homes to be installed in accordance with the manufacturer's specifications.**
- (3) Require persons dwelling in mobile homes and mobile home park operators to comply with the standards.
- ~~(3)~~ (4) Authorize local boards to enforce the standards adopted.

SECTION 3. IC 16-41-27-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. As used in this chapter, "mobile home" means a vehicle, including the equipment sold as a part of a vehicle, that meets the following conditions:

- (1) Is constructed for use as a conveyance upon public streets or highways by either self-propelled or not self-propelled means.
- (2) Is designed, constructed, or reconstructed, or added to by means of an enclosed addition or room, to permit the occupancy as a dwelling for at least one (1) person.
- (3) Is used and occupied as a dwelling.
- (4) Does not have a foundation other than wheels, jacks, skirting, or other temporary supports.

The term includes a manufactured home as defined by the federal Manufactured Housing Improvement Act of 2000 (42 U.S.C. 5401 et seq.)."

Page 3, after line 6, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JULY 1, 2003] (a) **As used in this SECTION, "department" refers to the state department of health.**

(b) **The vital records fund is established for the purpose of operating and augmenting funding for personal services in the department's division of vital records. The fund shall be administered by the department. The expenses of administering the fund shall be paid from money in the fund. The treasurer of state shall invest money in the fund in the same manner as other public money may be invested. Money in the fund at the end of the state**

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fiscal year does not revert to the state general fund. However, if the amount of money in the fund at the end of a state fiscal year exceeds eighty thousand dollars (\$80,000), the treasurer of state shall transfer the excess from the fund to the state general fund.

(c) The department shall deposit in the vital records fund established under subsection (b) four dollars (\$4) of each fee for the search of a vital record charged and collected under IC 16-37-1-11, as amended by this act.

(d) The mobile home inspection fund is established for the purpose of operating and augmenting funding for personal services concerning the inspection of mobile homes under IC 16-41-27. The fund shall be administered by the department. The expenses of administering the fund shall be paid from money in the fund. The treasurer of state shall invest money in the fund in the same manner as other public money may be invested. Money in the fund at the end of the state fiscal year does not revert to the state general fund. However, if the amount of money in the fund at the end of a state fiscal year exceeds eighty thousand dollars (\$80,000), the treasurer of state shall transfer the excess from the fund to the state general fund.

(e) The department shall deposit in the mobile home inspection fund established under subsection (d) fifty dollars (\$50) of each inspection fee charged and collected under IC 16-41-27-24, as amended by this act.

(f) The radiation machine inspection fund is established for the purpose of operating and augmenting funding for personal services concerning the inspection of radiation machines and processing of licenses for radiologic technologists under IC 16-41-35-29. The fund shall be administered by the department. The expenses of administering the fund shall be paid from money in the fund. The treasurer of state shall invest money in the fund in the same manner as other public money may be invested. Money in the fund at the end of the state fiscal year does not revert to the state general fund. However, if the amount of money in the fund at the end of a state fiscal year exceeds eighty thousand dollars (\$80,000), the treasurer of state shall transfer the excess from the fund to the state general fund.

(g) The department shall deposit in the radiation machine inspection fund established under subsection (f) thirty dollars (\$30) of each radiologic technologist test fee charged and collected under IC 16-41-35-29, as amended by this act.

(h) If any money remains in a fund established by this

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SECTION upon the expiration of the fund, the treasurer of state shall transfer the money to the state general fund.

(i) This SECTION expires July 1, 2008."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1130 as introduced.)

BROWN C, Chair

Committee Vote: yeas 8, nays 2.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1130, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CRAWFORD, Chair

Committee Vote: yeas 26, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1130, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 2, after "a" insert "**valid**".

Page 3, delete lines 33 through 42.

Delete pages 4 through 5.

and when so amended that said bill do pass.

(Reference is to HB 1130 as printed February 21, 2003.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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